

Patent
Our Docket: 5026C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Li et al.

Art Unit: 1633

Serial No.: 10/632,302

Examiner: Robert M. Kelly

Filed: August 1, 2003

For: Genetic modification of the lung as portal for gene delivery

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450

Date _____

Signature of person mailing correspondence

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

☒ Before the mailing date of a first Office Action on the merits. In the event, however, that an Office Action has crossed in the mail with this information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 07-1074 for any fees required pursuant to 37 C.F.R. § § 1.17(p) or 1.17(i)(1).

II. Copies of the Cited Items:

☒ Copies of all of the items listed on the attached Form PTO-1449 are enclosed.

III. Concise Explanation of Relevance:

Citation of the above documents shall not be construed as:

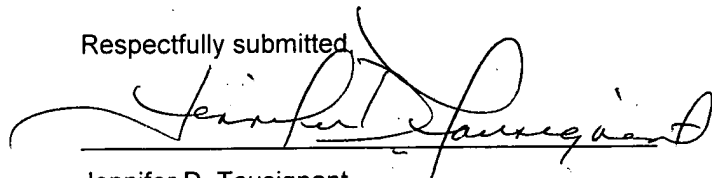
1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks. The Commissioner is hereby authorized to charge Deposit Account No. **07-1074** for any additional fees required in connection with the filing of this Information Disclosure Statement.

1/30/06

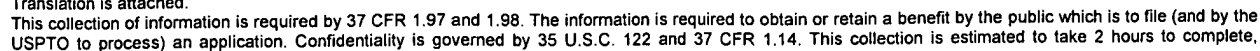
Date

Respectfully submitted,



Jennifer D. Tousignant
Agent for Applicants
Registration No. 54,498
Telephone: (508) 270-2499
Facsimile: (508) 872-5415

GENZYME CORPORATION
15 Pleasant Street Connector
P.O. Box 9322
Framingham, Massachusetts 01701-9322



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 2

Complete if Known

Application Number	10/632,302
Filing Date	August 1, 2003
First Named Inventor	Li, Chester
Art Unit	1633
Examiner Name	Robert M. Kelly
Attorney Docket Number	5026CON

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	11	ARMENTANO, D. et al., "Effect of the E4 Region on the Persistence of Transgene Expression from Adenovirus Vectors", Journal of Virology, March 1997, 71(3):2408-2416	
	12	MCDONALD, R.J. et al., "Safety of Airway Gene Transfer with Ad2/CFTR2:Aerosol Administration in the Nonhuman Primate", Human Gene Therapy, March 1, 1997, 8:411-422	
	13	KAPLAN, J.M. et al., "Potentiation of Gene Transfer to the Mouse Lung by Complexes of Adenovirus Vector and Polycations Improves Therapeutic Potential", Human Gene Therapy, July 1, 1998, 9:1469-1479	
	14	ZIEGLER, R.J. et al., "Correction of Enzymatic and Lysosomal Storage Defects in Fabry Mice by Adenovirus-Mediated Gene Transfer", Human Gene Therapy, July 1, 1999, 10:1667-1682	
	15	POENARU, Livia, "Particularities of lysosomal storage diseases gene therapy", Gene Therapy, 1996, 3:1039-1041	
	16	BEERS, M.H. and BERKOW, R., The Merck Manual of Diagnosis and Therapy, 17 th Edition, 1999, pp. 214-215, 2338 and 2408	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.